

AFFIDAVIT

I, William P. Akins, a Postal Inspector with the United States Postal Inspection Service (USPIS), being duly sworn, depose and state:

INTRODUCTION:

1. I am a Postal Inspector with the United States Postal Inspection Service, in Tucson, AZ, and have been employed as such since February of 2019. Since February of 2019, I have been stationed at the Tucson, Arizona office of the Phoenix Division. I attended the fourteen-week training course at the United States Postal Inspection Service Academy in Potomac, Maryland. There I received training related to violations of federal law including assaults, robberies, and criminal investigations of narcotics trafficking via the United States Mail. Prior to becoming a Postal Inspector, I was employed as a United States Border Patrol Agent for approximately 13 years. Throughout my law enforcement career, I have had extensive training and experience investigating a variety of criminal violations including controlled substances. During my almost 16-year career as a Federal Law Enforcement Officer, I have been involved in numerous criminal investigations which have resulted in arrests, recovery of evidence and seizure of property. I have also written and executed numerous search warrants resulting in the seizure of thousands of dollars and controlled substances.

DESCRIPTION OF SUBJECT PARCEL:

2. This affidavit is made in support of an Application and Affidavit for a Search Warrant for a United States Postal Service (USPS) Priority Mail Express (PME) parcel. The parcel has tracking number EJ 544 492 545 US, with \$110.05 in postage and postmarked from Nogales, AZ 85621 on January 13, 2022. It bears a return address of “Esmeralda Dominguez, 1790 N Loma Mariposa RD unt 12, Nogales, AZ 85621” and is addressed to “Deven Evens, 1528 228th st se 4, bothell wa, 98021”. The parcel consists of a brown, USPS shipping carton. The parcel measures approximately 15” x 12” x 10” and weighs approximately 9.8 pounds. It is hereafter referred to as “SUBJECT PARCEL 1”.

BACKGROUND ON USPS DRUG INTERDICTION NEAR THE SOUTHWEST BORDER AND THE USPS DRUG MAIL PROFILING PROGRAM:

3. From my training, personal experience, and the collective experiences related to me by other Postal Inspectors who also specialize in investigations relating to the mailing of controlled substances and the proceeds from the sale of controlled substances, I am aware that the southwestern international border is a leading area for the entry of controlled substances from Mexico into the U.S. Based on the large quantities of controlled substances entering southern Arizona, controlled substances are frequently transported from southern Arizona via the United States Mail to areas across the United States and Puerto Rico. It is also common for the proceeds from the sale of the controlled substances to be sent to southern Arizona via the United States

Mail. By using the U.S. Mail to ship controlled substances, these drug traffickers put unknowing postal employees who handle and deliver those mailings at risk.

4. Based on the frequent use of the United States Mail for the shipment of controlled substances from southern Arizona, Postal Inspectors in Tucson and other locations near the southwest border routinely observe inbound and outbound mail articles for suspicious characteristics common to mailings of drugs and drug proceeds. While there are many characteristics that experienced inspectors look for, the most common characteristics found are:
 - a. Suspected parcels are mailed to or from known drug destination areas, primarily the large metropolitan areas in United States and Puerto Rico.
 - b. The sender names and addresses on drug or drug proceeds parcels routinely contain misspellings, incomplete, inaccurate, unauthorized and/or fictitious information.
 - c. A tracking number is used to provide the trafficker the ability to track the parcel's progress to the point of delivery.
 - d. The postage was paid with means which leaves no trail identifying the mailer.
5. Parcels found to meet some or all of the suspicious characteristics described in subsections "a" through "d" of this paragraph are further investigated by Postal Inspectors.

INVESTIGATIVE DETAILS:

6. On January 13, 2022, I was notified by a USPS employee of SUBJECT PARCEL 1 being mailed at the Nogales Arizona Post Office at approximately 3: 27 p.m. I was informed the subject who mailed SUBJECT PARCEL 1 paid for it in cash. A USPS employee noticed that the return address was legitimate, but the last name was not associated to that address. I asked the USPS employee to refer SUBJECT PARCEL 1 to me for further investigation.
7. On January 18, 2022, I received SUBJECT PARCEL 1 from the Nogales Post Office.
8. After observing SUBJECT PARCEL 1, I found it had the following characteristics common to drug parcels, namely:
 - a. It was mailed from Nogales, Arizona which is an area I know to be a source area for narcotics that are often shipped across the country.
 - b. The parcel had a tracking number. From my experience, I know that nearly all drug parcels bear tracking numbers allowing the sender and receiver to track the progress of the shipment from origination to destination.
 - c. There were no telephone numbers listed on the mailing label for either the sender or addressee. In my experience, legitimate mailers who use the USPS PME service regularly include telephone numbers in the spaces provided on the label because they paid a premium price for the service and want to be contacted to help facilitate a timely delivery

should a problem arise. In my experience, PME parcels that I have seized drugs from bore either no telephone numbers or listed fictitious telephone numbers.

d. The postage for the parcel was paid for in cash.

9. On January 11, 2022, I opened 11 PME parcels mailed from Nogales, Arizona pursuant to a Federal Search Warrant which all contained pharmaceutical drugs. The return address information on those parcels was “Lirio Dominguez, 1790 N. Loma Mariposas Rd, Apt. #13A, Nogales, AZ 85621”. Just like on SUBJECT PARCEL 1, the same physical address and last name was used, however a different first name and apartment number were used this time. It appears the sender of SUBJECT PARCEL 1 is using the same tactic to conceal their identity as the sender of the above-mentioned 11 PME parcels, which were subsequently seized.

10. On January 18, 2022, I accessed “Thomson Reuters CLEAR” to check for records of the names and addresses listed on SUBJECT PARCEL 1. Thomson Reuters CLEAR is an online service that provides an extensive collection of public records used primarily by corporate security departments and law enforcement agencies nationwide for investigative purposes. There were no current records associating the sender or receiver with the corresponding addresses listed on the parcel.

11. Canine Examination:

a. A canine examination was not conducted on SUBJECT PARCEL 1 due to the fact not all the chemical components of pharmaceuticals are

derivatives of one of the canine's trained odors. Pharmaceutical drugs are not necessarily illegal, but they are illegal to mail. To date, I have seized 36 parcels with the same or similar label profile as SUBJECT PARCEL 1. All of them contained pharmaceutical drugs.

12. Based on the facts set forth in this affidavit, I believe there is probable cause to show that the parcel contains controlled substances and/or proceeds from the sale of controlled substances, constituting evidence of violations of Title 21, United States Code, Sections 841 (a) (1), Possession with Intent to Distribute a Controlled Substance, and 843 (b), Unlawful Use of a Communication Facility to Facilitate the Distribution of a Controlled Substance.

13. This affidavit is submitted for the limited purpose of seeking authorization to search SUBJECT PARCEL 1. Your Affiant has not set forth each and every fact known to him regarding the investigation.

William P. Akins

William P. Akins
United States Postal Inspector

Subscribed and sworn to me telephonically on
this 18th day of January, 2022

Bruce G. Macdonald

Bruce G. Macdonald
UNITED STATES MAGISTRATE JUDGE